

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

No. C 79-01630 WHA

ANDREW LANCASTER, JEFFERY MILLS,  
DEXTER WILLIAMS, WILLIAM DENNIS,  
STEVE LIVADITIS, JIMMY VAN PELT,  
H. LEE HEISHMAN III AND JOHNATON  
GEORGE,

**ORDER TERMINATING  
CONSENT DECREE**

Plaintiffs,

v.

MATTHEW CATE, Acting Secretary,  
California Department of Corrections and  
Rehabilitation, and ROBERT K. WONG,  
Acting Warden, San Quentin State Prison,

Defendants.

An order dated March 25, 2009, adopted the findings of Magistrate Judge Nandor Vadas' report and recommendations. Magistrate Judge Vadas recommended vacating the consent decree. The March 25 order requested the parties to respond and show cause why the consent decree should not be vacated and the case should not be closed. *See* 18 U.S.C. 3626(b). In response, defendant supported terminating the consent decree and closing the case. After an extension of their time to respond, plaintiffs have submitted no objection to the report and recommendations nor to the consent decree being terminated and the case closed. There being no evidence of current and ongoing constitutional violations, and there being no objections to terminating the consent decree and closing the case, the consent decree is hereby **TERMINATED** and the action is **TERMINATED**. The clerk shall close the file.

**IT IS SO ORDERED.**

Dated: April 14, 2009.

  
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE